GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute.—Industrial Dispute between the workmen and the Management of Gokak Mills Ltd.. Gokak Falls, Belgaum District.

Award of the Industrial Tribunal, Bangalore—published.

Read the following papers:

(i) Letter No. I.T. No. 842-43/67-68, dated 24th August 1967 from Shri A. Panchakshariah, Presiding Officer, Industrial Tribunal, Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE

Dated 22nd August 1967

Present

Sri A. Panchakshariah, B.A. (HONS.), LL.B.

—*Presiding Officer.*

First Party—

Workmen of Gokak Mills, Gokak Falls, Belgaum District.

Vs.

Second Party—

Management of Gokak Mills, Ltd., Gokak Falls, Belgaum District.

Appearances

For I Party—

I(a) Party—Sri K. P. Sachindranath, Vice-President, I.N.T.U.C., Bangalore.

I(b) Party—Sri K. T. Sule, Advocate, Bombay.

I(c) Party—Sri M. N. Dharwadkar, Advocate, Belgaum.

For II Party—

Sri P. K. Rele of Crawford Bayley & Company, Bombay.

Reference

G.O. No. PLM 459 LLD 65, Bangalore, dated 19th February 1966.

AWARD

Whether the Gokak Girni Rashtriya Mazdoor Sangh, Gokak Falls, Belgaum District, are justified in demanding Dearness Allowance of every employee to be raised and made equal to the D.A. given at Sholapur on the basis of the cost of living index with effect from 1st January 1965? If not, to what quantum of increase or relief are the employees entitled? Is the dispute referred to this tribunal for adjudication by the Government of Mysore in their Order No. PLM 459 LLD 65, dated 19th February 1966. The I Party is the Gokak Girni Rashtriya Mazdoor Sangh, Gokak Falls. It is represented by its General Secretary Sri B. S. Gard. The II Party is the Management of Gokak Mills, Ltd., Gokak Falls, Belgaum District. The case of the I Party workmen is that the existing D.A. for the workers of the II Party was fixed by an award of the Industrial Court, Bombay, in reference No. I. C. 82 of 1949. This award was passed consequent on a settlement arrived at between the I Party and II Party. By the terms of this award, it was agreed to accept the Sholapur cost of living index to ascertain the quantum of D.A. to be paid. The rate was agreed as Rs. 1.25 per point rise per worker per day, over August 1939 Sholapur Working Class Cost of Living Index No. 73. On arithmatical calculations, this comes to 71.42 per cent of the Sholapur rate of D.A. This Award was effective from 1st February 1950. This rate of D.A. which was fixed by the award consequent on this settlement remains the same even till to-day and for the last 16 years, though the cost of living has gone up very very high, the rate of D.A. has not been revised. It is submitted by the I Party that in almost all the industries where the rate was lower than Sholapur; it was raised equal to or near to the Sholapur rate of D.A. long back. But so far as the II Party is concerned, it has

not viewed the labour question with sympathy. The II Party has been making huge profits and as such it should have devoted some attention to the welfare of the workmen, but it has not done so, with the result there was an agitation by the employees of the Mill for more wages and increased D.A. The I Party terminated the award in the month of October 1964 by issuing a Notice to the II Party and demanded more D.A. There was no response by the II Party and the I Party again issued another notice dated 2nd January 1965 placing before the management the case for revision of D.A. But the management did not view this with sympathy. Even before the Conciliator, the management adopted the same attitude. Therefore, the proceedings of the Conciliator failed and on a report by the Conciliator under Section 12 (4) of the Industrial Disputes Act, 1947, the Government of Mysore purporting to act under Section 10(1) (d) of the Industrial Disputes Act, have referred the present dispute for adjudication to this tribunal. In justification of the demand for enhanced D.A., the I Party workmen contend that the basic wage and D.A. of the workers of this company were fixed as far back as 1950. Thereafter, there had been no revision at all. .All attempts made in this behalf were nipped in the bud by the Management. The basic minimum wage is fixed at Rs. 21.12 and D.A. at 71.42 per cent of the Sholapur D.A. The only rise given to the workmen was that recommended by the Central Wage Board in 1960, *i.e.*, Rs. 6 and Rs. 2. The minimum basic wage in the neighbouring area, *viz.*, Sangli, Miraj and Madhavanagar is Rs. 24 per month excluding the wage board rise. The D.A. given in these parts is at 92 per cent of the Sholapur D.A. The I Party has also given an idea of the capital reserve, Profit and Loss Account and the amount invested by these Sangli, Madhavanagar Mills. The I Party has also given the spindlage and the loomage of these various mills and a comparative figure with regard to this Mill also given. On the score that the wages paid to the workers at Gokak Falls by the II Party are very low and on the score that the D.A. paid to them is not sufficient to neutralise the cost of living, the present demand has been made.

2. As against this, the II Party has filed the counter statement in the course of which the II Party took some preliminary objections with regard to the maintainability of the demand for D.A. Arguments were heard at great length on the preliminary objections and a ruling is given by me over-ruling the objections

raised by the II Party. It is therefore unnecessary for me to detail those objections here. With regard to the merits of the claim, the II Party has admitted that the rate of D.A. for the workers of this company was fixed by an award of the Industrial Court, Bombay, in Reference No. I.C. 82 of 1949 and even now, the terms of this settlement govern the parties. The II Party also admits that the rate of D.A. then agreed was at Rs. 1.25 paise per point rise per day over the August 1939 Sholapur cost of living index Number, which was 73. This revised rate of D.A. was brought into effect from 1st February 1960 and at that time, the Sholapur Working Class Cost of Living Index was 298 and the workers of the company have been receiving D.A. at the fluctuating rate depending upon the Sholapur Cost of Living index number. In 1950, the D.A. worked out at Rs. 1.46 per day whereas at the present moment when the living index number of Sholapur is 512, the D.A. per day per worker works out to Rs. 2.86 per day. The II Party contends that in 1950, the average basic wage of the Gokak Mills worker was Rs. 23.85 per month whereas to-day the average wage is Rs. 36.15 paise. In 1950 there were only 2,700 workers whereas to-day the total complement of the mill is 5,500 to 6,000. Inspite of this increase in number the production has not improved significantly. D.A. being an integral part of the total wage paid to the employees, the demand for increased D.A. in isolation cannot be considered without taking into consideration the totality of the wages including the fringe benefits. The II Party contends that the total wages paid to the employees at Gokak Mills including the fringe benefits are fair and adequate. It was for the first time on 16-7-1964 this Sangh terminated the award of 1950 and made a demand for D.A. on the basis of Sholapur D.A. which was very vague and could not be answered by the II Party. The II Party has denied the statement of the I Party regarding the unsatisfactory furnishing of the colonies to the 1,400 workers. Similarly, it has also denied that the canteen is not satisfactorily working. The II Party also denies that this company has been linked with Sangli, Miraj, Madhavanagar area by the previous tribunals. However, the II Party admits that it is true that the rate of D.A. at Sholapur is 1.25 paise per point per day whereas at Gokak, it is only 1.25 paise per point per day. The neutralisation percentage so far as Gokak is concerned is entirely wrong. The neutralisation percentage in the case of Gokak workers comes to 38.4 per cent and not 47.61 per cent as claimed by the I Party. The II Party contends that in the year 1950 when the I Party

was the representative and approved union, with its enormous bargaining capacity and with open eyes entered into a settlement over the quantum of D.A. with the company when the financial position of the company was very much similar as it is now and inspite of that the I Party accepted neutralisation percentage at 58.4 per cent solely for the reason that the cost of living at Gokak was very much cheaper. Regarding the financial position, the II Party submits that the I Party has not given a true account of the financial position of the II Party. Though the financial position of the II Party is quite sound, the company is not in a position to meet all the demands raised by the I Party workmen. The II Party admits of the rise in prices of the essential commodities and this is in keeping with the general trend of increase in prices all over the country and there is nothing special or abnormal in the increase of prices at Gokak Falls. Further, it is submitted that when a settlement regarding the rate of D.A. had been reached by the Sangha in 1950 when the Sholapur Working Class Cost of Living Index was 298, it is not open to the I Party to re-agitate the matter and claim more D.A., because the cost of living at Sholapur to-day has shot up to 512. In view of the fact that after 1956 Gokak has been merged with the Mysore State, any comparison with the Sholapur cost of living index is not permitted. Finally, the Company has stated that the total emoluments which the workers of Gokak Mills are getting are fair and if anything, are on the higher side. Besides they are also getting reasonable bonus every year. With regard to the claim for retrospective effect being given, the II Party submits that the demand of the I Party in this behalf is unreasonable, unjust and untenable. In short, the II Party contends that there is no case for revision of the D.A., much less for giving retrospective effect.

3. A Reply has been filed by the Gokak Girni Rashtriya Mazdoor Sangh affirming the allegations in the claim statement. It is also contended that the present wages of the employees of Gokak Mills were fixed in 1949 based on the prices then prevailing in the locality. Since then the prices of various commodities have registered nearly 200 to 300 per cent rise and the company has not done anything to increase either the wages or the D.A. That itself is sufficient to justify the claim for revision of D.A. In most of the industries including the textile industries the wage scales and the D.A. have undergone considerable changes keeping pace with the rise in the cost of living index, but the

company has not fallen in line with any of these companies nor with the Sholapur cost of living index. The Mills at Sholapur have revised the rate of D.A. and therefore the demand for revision of D.A. for the Workers of the II Party is maintainable and this is a change of circumstances. Assuming that the present rate of D.A. is Rs. 2.86 per day, it neutralises hardly 50 per cent of the cost of living index. It has been repeatedly held that even the loss-making companies should pay 66 2/3 per cent neutralisation to meet the requirements of the working class. In 1950 when the cost of living index was 298, the workmen were getting 23.85 whereas the cost of living index to-day is 512 against which the company is paying only 36.15 rupees towards D.A. to its workmen. Even on arithmatical calculations this neutralisation comes to Rs. 41 per month as against which the II Party is paying Rs. 36.15 only. In short, the I Party has contended that in view of the change of circumstances and the rise in the cost of living day by day, the employees' D.A. may be brought on par with the Sholapur rate of D.A.

4. On 4th November 1966, the Secretary of the Mazdoor Sabha filed an application under Section 18 (3) (b) and requested that the Mazdoor Sabha may also be made a party to these proceedings. On 23rd January 1967, the I Party agreed that this Mazdoor Sabha may be joined as I Party if the said Mazdoor Sabha did not put up a case contrary to what the I Party had put in. On 23rd January 1967, the Belgaum District Kamgar Union, Gokak, appeared through its President Sri M. N. Dharwadkar and submitted that Union may also be made a party to this dispute on condition that it did not rise a case counter to the one put forward by the I Party. Both the Mazdoor Sabha and the Kamgar Union were made parties along with the I Party. The II Party had no objection for these Unions being made parties to this dispute. After the close of arguments, one more Union filed an application through its Secretary, Desai, to be added as a party along with the I Party *i.e.*, the Textile Labour Union, Gokak Falls, supported by an affidavit. This Union has no fresh case to advance than the one already advanced by the I Party. In order to resolve the dispute once for all between the employer and the employees of the II Party, this Union was also made a party. Accordingly there are four unions which are added as I Party. The first of these four unions is Gokak Girni Rashtriya Mazdoor Sangh,

Gokak Falls, which has raised this dispute, the second is Mazdoor Sabha represented by Sri H. M. Peerzade, Secretary and the third is the Belgaum District Kamgar Union, Gokak, represented by its President Sri M. N. Dharwadkar and the 4th is the Textile Labour Union, Gokak Falls. Both the latter parties adopted the case put forward by the Gokak Girni Rashtriya Mazdoor Sangh. Issues were framed on 1st March 1967 in addition to the points of dispute in the Reference. The II Party addressed arguments on the preliminary issues (1) and (2) *i.e.*, with regard to the maintainability of this Reference. Orders were pronounced on these issues by me on 8th June 1967 overruling the objections raised by the II Party. Thereafter, the case proceeded on merits. The I Party *viz.*, Gokak Girni Rashtriya Mazdoor Sangh examined two witnesses *i.e.*, the President of the Union and another Clerk in the II Party Mill. The Mazdoor Sabha examined H. M. Peerzade who is also the Clerk under the II Party and closed its case. The II Party examined its Labour Welfare Officer on 15th July 1967 and closed the case.

5. Only two points arise for consideration in this case. The first point is whether the I Party has established the change of circumstances so as to necessitate the revision of D.A. I am not here concerned with the question of fixation of the wage or its revision. That question will be considered only while considering the justifiability for revision of D.A. and how far the D.A. should neutralise the deficiency in wages and the cost of living index. The 2nd point that would arise for consideration is the financial capacity of the II Party to bear the additional financial burden after the scheme of D.A. is to be revised on the basis of the Sholapur cost of living index. It is admitted by the II Party that so far as the wages of its employees are concerned, they were fixed as far back as 1950. Similarly, it is admitted that even the D.A. scheme was introduced in 1950 by means of a settlement which has resulted in an award in Reference No. I.C. 82 of 1949 by the Industrial Court, Bombay. For the first time in the history of this Mill, D.A. came to be introduced in 1950 as per Ex. M1 (a). Clauses (2) and (3) of Ex. M1 are relevant for this purpose According to this it is agreed that :—

> " the workers will be paid D.A. at the rate of 1.25 paise per point per worker per day over the August 1939

> Sholapur Working Class Cost of Living Index No. 73. The quantum of D.A. payable for a particular month will be based on the index number during the previous month. The payment of D.A. on the basis set out in the above clauses will be made to workers with effect from 1st February 1950 ".

In considering the justifiability of the claim for revision of D.A. made by the workmen, it would be necessary to show the relative position with regard to these employees' right from 1937. This history will be necessary because according to the Settlement of 1950 the parties have sought to depend upon the Sholapur Cost of living index and it is on that basis of calculations have been made in the award of 1950.

6. It is only in the year 1956 from 1st November that Gokak came within the fold of Mysore State. Before that it was part of the Bombay Province and this Mill itself was a member of the Bombay Textile Mill Owners' Association. This Mill was started in 1887 and since then has grown up to its present stature step by step. To begin with, there were only 2,000 and odd employees and at the present moment, there are nearly 6,000 employees. There are two Mills manufacturing only yarn and producing and supplying yarn to the Tire Manufacturers in the country and huge quantities to foreign countries. Both the Mills are in one and the same compound. One can undoubtedly say that the Mills are the leading exporters of yarn to foreign countries and this mill is one of the oldest and most prosperous mills in India. The cheap labour that was available and is even now available at Gokak was in no small measure responsible for the prosperity of the Company. Ever since the company started it has continuously been working without any breaks or without any loss whatsoever. In the year 1937, there was a break in the working of the textile industry in Bombay Presidency very often and this was due to low wage structure and unhealthy and poor service conditions, etc. In order to remedy this, the Government of Bombay constituted in 1937 a committee known as the Textile Labour Advisory Committee. This Textile Enquiry Committee visited various mills in the Presidency to have the first hand information regarding the working conditions, amenities, welfare activities and wage structure of the workers. It was found out at that time that the II Party Mills at Gokak was paying the same

wages or a little more than what the Sholapur Mills were paying to their workers. In some cases, the wages came up to what the Bombay Mills were paying. Before this Committee the workers of the II Party Mills gave evidence and the management also gave evidence. In 1937 there were no Unions at Gokak. The Committee also found out that the wage structure in so far as tenters, grinders and other categories of Sholapur Mill was higher than what it was in Gokak. The committee also found out that in the matter of efficiency and out-put, the employees of the II Party in no way were inferior to those of the Sholapur Mills. At that time lowest paid worker at Gokak was hardly getting Rs. 10 per month and this was so till 1949. The Textile Enquiry Committee after making a detailed study of the conditions of labour, the amenities, etc., of all the Mills of the Bombay Presidency recommended that minimum wage of Rs. 22 per month be paid to each employee and this was in the year 1940. As the Mills in Bombay and Sholapur followed up the recommendations of the Textile Enquiry Committee. So far as the Sholapur workers are concerned, the committee recommended a minimum wage of Rs.. 27 per month while for Belgaum, it fixed Rs. 22. Though the Committee recommended Rs. 22 as the minimum wage as early as 1940, the II Party did not give effect to it until 1949 when it made a pretence of having given effect to the recommendations of the Textile Enquiry Committee. One peculiar feature of the textile industry is that the employees are not given any increments in their scale of pay. They start and retire on the same pay with the result the employees of the Gokak Mills got nothing from 1937 right up to 1949. It was in the year 1949 that the Union came into existence and the workers agitated for enhanced wages. Some-how or other, the parties came to a settlement in the year 1949 with regard to the wages. The wages however were not fixed on any standardised scale as it was in Bombay and Sholapur. However, a new rate of wage came to force on 1st April 1949 and that rate is still in force though in other Mills in the State of Bombay there have been two or three revisions. This is one circumstance which necessitates a revision in the scheme of D.A. because the wage of 1950 will not carry the employee anywhere, particularly having regard to enormous rise in the cost of living. In the course of evidence, the Labour Officer who has been examined by the II Party, admits that the cost of living and the prices of food commodities have gone beyond the capacity of even the well-paid officer like himself. When

that is so what about a poor worker getting only Rs. 22 as his wage. The workers in the textile industry at Bombay agitated for fixation of minimum wages in the year 1947. The Full Bench of the Industrial Court constituted under the Bombay Industrial Regulations Act, 1946, consisting of eminent judges, gave an award which is reported in the Industrial Court Reporter 1946-47 determining Rs. 30 as the minimum wage per month on the cost of living index then prevailing. Page 393 of the Industrial Court Reporter of 1946-47 will make this point very clear. The same Industrial Court also directed that textile mills should pay D.A. at the rate of 1.09 pies per point per day over 100 points which came into force in April 1947 and the award was published in the Industrial Court Reporter 1948 at page 47. In addition to this, the textile mills at Bombay agreed for standardisation of various jobs based on several factors. Pursuant to this agreement, standardisation has been scientifically determined in 1947. This scheme has been improved from time to time based on several factors such as modernisation of machineries and improvement in production, *vide* award published in Industrial Court Reporter 1946-47 at page 410. So far as Sholapur is concerned, the Court directed the Mills to pay minimum wage of Rs. 26 per month in 1939 in addition to 1.75 per point per day over and above 100 points. This award came into force on 1st January 1947. When all this took place in the neighbouring mills, nothing happened in the II Party Mills though the conditions prevailing at Gokak are very much the same as those prevailing at Sholapur. This was also due to the fact that till 1947 there was no Union at Gokak and even if there was one, it was a puppet in the hands of the II Party with practically no bargaining capacity. Therefore, the workmen started the I Party Union in 1948. The I Party submitted demands for proper wage scales and a scheme for D.A. In so far as the efficiency of the workers in other places like Bombay and Sholapur is concerned, it is and it was on a par with workers of the II Party Mills and this fact has been accepted *vide* Industrial Court Reproter 1948 at page 476. As a result of the agitation by the I Party, the Mills agreed to pay D.A. at the rate of 1.25 pies per point per day based on the cost of living index of Sholapur. This was necessitated because no cost of living index was prepared by the Government of Bombay to Gokak, and even now the Mysore Government has also not prepared the cost of living so far as Gokak is concerned. But one may say having regard

to the common mode of living of all these workers the cost of living is the same throughout the country. May be, there is some slight change from place to place. That is exactly the reason why both the II Party and the I Party selected in 1950 the Sholapur Cost of living as the guiding factor to determine the rate of D.A. Since there have been no changes in the Sholapur to take Sholapur out of the category so far as Gokak is concerned. Any way as per the award of 1950, Ex. M1 (a) it is clear that both the parties agreed that the Sholapur cost of living index should be guiding factor and the D.A. for Gokak workers is to be fixed on the cost of living index prevailing at Sholapur. The employees of the Gokak Mills practically got nothing by the settlement of 1950 because after the said the grain concession was withdrawn. The benefit which the workers would get from the grain concesscion would be almost equal to the D.A. which they would get. The result is that to-day an employee in the Gokak Mills is getting as basic salary Rs. 21.12 and D.A. of Rs. 88 *plus* Rs. 8 concession given by the Textile Wage Board, in all an employee of this II Party Mills is getting Rs. 117.12 per month, whereas his counter part in Sholapur, under similar circumstances is drawing Rs. 160 per month. So far as the employees of Sangli are concerned, the evidence is that employee is getting a basic wage of Rs. 24, D.A. of Rs. 115, *plus* Rs. 8 concession which will come to Rs. 147 per month. From this it is clear that the employee of the Gokak Mills is the least paid both in the matter of wages as well as in the matter of D.A., though it is in evidence that in the matter of efficiency, the worker under the II Party is in no way inferior to the worker in the above two places and though it is also in evidence that the conditions of living, both at Sholapur, Sangli and Madhavanagar and Gokak are almost the same. From Ex. W-12, which is an award passed by the Industrial Court, Bombay, on 27th June 1950, the wages of these employees of the II Party were fixed by means of a settlement. I have pointed out above that the D.A. was fixed according to the award of 1950 under Ex. M1 and since then there has been no change. The only change if at all, is the allowance of Rs. 6 plus Rs. 2 given by the Textile Wage Board in 1960 and 1962 was the addition to the source of income of the employees. In addition to this, the employees of the Gokak Mills got Rs. 4 and odd by way of D.A. as a result of the rectification of the cost of living index number by the

Lakkadwala Committee appointed by the Maharashtra Government. That is all the improvement in the financial position of the Gokak Mills employees. It is seen that in 1950, at the time of the Settlement of the D.A. the cost of living index was 263 and basing on this cost of living index of 263, the settlement was arrived at. In 1960 the cost of living index was 357, in 1964 it was 446 and to-day the cost of living index is 596. There has therefore been steady increase in the cost of living index. Although the textile mills in the cities like Bombay, Ahmedabad and Sholapur, increased the rates of standardised wages from time to time, the Gokak Mills did not fall in line with these Mills with the result the worker drawing the wages in 1950 continued to draw the same wages in 1967 also. Assuming that 22.12 is the total wages on the cost of living index of 100 to-day, cent per cent neutralisation should be Rs. 143 as subsistence wage. Rs. 22.12 cannot be the proper minimum wage to neutralise 100 points in 1950. Now, coming near home, the cost of living index in Mysore State, it was 316 in 1960 and now it is 740 per month. In 1960 it was 439. As per the cost of living index of Mysore State, the minimum wages on 100 points in 1950 was 22.12. On the cost of living index of 439, it should have been Rs. 97.78, but the Mills paid only Rs. 67 per month in 1960. Similarly at the present cost of living at 740 per month, the mill should be called upon to pay Rs. 163.75 per month. But the Mills are actually paying Rs. 117 per month. This fully justifies the contentions of the workmen that there has been a change in the circumstances since the last two decades and that the prices have gone up to the skies.

7. On this point both the President of the I Party Union and the other two witnesses who have been examined, have spoken to the rise in the cost of living and also the prices in the Bazaar. Y. S. Arbhavi, President of the I Party Union has sworn that in the year 1950, the Union entered into a settlement with regard to the D.A., with the II Party. He swears that in 1950 prices of food articles were very very low and from 1950 there has been a gradual rise in prices of food stuffs. Ex. W-1 is the statement prepared by the witness on the basis of the enquiries he made in Gokak Town with the shop owners. He swears that the prices are going up higher and higher every week and since April 1967 the prices have gone beyond control. His

evidence is that he enquired the prices of food stuffs from every shop owner at Gokak. The D.A. that is now paid to the employees is far too low when compared to the prices of to-day. There are no Government Societies to supply foodgrains at controlled rates. The prices of oil, milk, mutton and all other food articles including cloth, have gone up very high. The witness has been cross examined by the II Party but the evidence of this witness is fully supported by the evidence of the witnesses examined by the company. The 2nd witness, *viz.*, Gundiah also speaks to the rise in the cost of living and the prices of food stuffs. He is one of the employees and he is feeling the pinch of the rise in prices. Another employee Mr. Peerzade has also examined himself. He filed an Affidavit Ex. W-2 and he has been cross examined by the company. He has filed a price list of food articles both at Gokak and Gokak Falls. These are exhibits W-3, W-4, W-5 and W-6. He has also filed Exhibits W7, W8, W9 and W10 to show the D.A. paid to Sholapur employees from 1964 to 1967. Ex. W11 is the prosperity chart of Gokak Mills from 1962 to 1966. In Ex. W-3 to W-6, the witness has also described the qualities of food stuffs as 'A' and 'B'. 'A' stands for inferior quality and 'B' for slightly better quality. This witness has also been examined by the II Party. One thing is certain from the evidence of these two witnesses and that is the price of food stuffs have gone up 1 to 10 times. Similarly, even the prices of cloth and stitching charges have gone up. I have pointed out above that the cost of living index in 1950 was 268 and to-day it is 956. That speaks for itself.

8. Taking the evidence of the witness examined by the company, his evidence fully supports the case of the Union in regard to the rise in the cost of living. His evidence is that in 1950 the Mills entered into a settlement on wage scale which came into effect from 1st April 1949. He admits that these scales of 1949 are still in force with the addition of Rs. 6 and Rs. 2 given by the Wage Board for the Textile Industry. He also admits that as per para 10 of Ex. W2 the concession shown in the matter of supply of foodgrains at prewar rates to the employees was withdrawn with effect from 1st April 1949. He also admits that the wages fixed as per Ex. W12 were not based on scientifically method and the rates were not fixed by the Assessors. Further, he admits that the Wage Board has not determined the scales mentioned in Ex. W12 but the wage rates

in Ex. W12 are as a result of negotiations between the Sangha and the Mills. Similarly with regard to Ex. M-1 it has been passed as a result of a settlement. Even as per Ex. M1 the concession with regard to the supply of foodgrains at pre-war rates has been withdrawn. Finally the witness admits that from 1949 there has been no change in the rate of D.A. paid to the employees and it had remained the same as it was in 1949. He admits that in 1953 the Industrial Court revised the D.A. of Bombay workers and the Labour Appellate Tribunal revised this scheme in 1955 enhancing the rate of D.A. These rates are not given to the workers of the II Party Mills. He further admits that from 1960 to 1964 the II Party has not paid any increased D.A. though according to the recommendations of the Lakkadawala Committee a mistake had been committed in the preparation of the cost of living index figure. The witness also knows that the textile workers at Sholapur get 1.75 paise per point rise over 73 for every employee every day, whereas the II Party Mills is paying only 1.25 paise per point rise over 73 points per day. He also admits that the wage scales at Sholapur was fixed as the standardisation award in 1947. According to him a textile worker in, Sholapur to-day is getting Rs. 135 per month as D.A. over the Sholapur cost of living of 1956 whereas for the same cost of living index of 596 the II Party is paying only Rs. 88 per month as D.A. He admits that the distance between Gokak and Sangli is only 60 miles though of course, he does not know if the distance between Gokak and Sholapur by road is less than by the train route. He admits that for Gokak area there is no centre for preparing the cost of living index and the nearest place naturally should be Sholapur, for which the Maharashtra Government have prepared the cost of living. Finally he admits that the cost of living of various commodities have gone up very high from 1950 particularly from 1950 and 1963 the prices of the various food articles have shot up year by year. Further he admits that the prices of cloth and the charges for stitching also have gone up very high. So much so even he is feeling the pinch. Considering these circumstances there can be no doubt whatsoever that the I Party has established beyond doubt the change of circumstances which necessitate the revision of D.A.

9. Now coming to the other benefits which are known as fringe benefits, they are hardly worth mentioning. It is possible that the rise in the cost of living may be compensated to some

extent by providing the workmen with other benefits such as free housing, subsidies canteen facilities, medical aid and other amenities. The evidence of the witnesses for the II Party clearly establishes the fact that for 6,000 employees there are only 1,400 most ill-furnished quarters. It is suggested that there is only one room for a tenement the size of which, the Labour Officer is not in a position to give. Even these rooms are not well ventilated. He admits that these quarters have no water supply and sanitation. Besides 6,000 workers are called upon to occupy 1,400 quarters though the Mills have recovered the cost of the buildings long long ago, the Mills, have not constructed any quarters for these 6,000 workers. Therefore the housing facilities can be hardly to be said to compensate the workmen to any extent. Regarding the supply of foodgrains to the workmen, the witness for the II Party admits that there is no Fair Price Shop for the workmen. There is what is known as a Consumer Society in the Mills which purchases articles in the open market and sells them to the workers probably at the same price as in the bazaar. The Management hardly spends Rs. 500 per year to maintain this Consumer Society. There is no credit facility for the employees to get food stuffs on credit. Regarding the canteen facilities the evidence of the witness for the II Party is that there are about 13 employees working in the canteen by shifts and it is admitted by him that in the first shift about 2,400 empolyees will be working and in the 2nd shift 1,600 to 1,700 while in the third shift about 1,100 to 1,200 workers will be working. There are no cooks in the Canteen and these 13 employees who work by shifts in the canteen only prepare tea. It is very difficult to believe the evidence of this witness when he says that in the first shift these employees of the Canteen go to very place where the workers will be working to supply them tea and snacks. Admittedly there are no trolleys for carrying tea and snacks. He further admits that in the 2nd and third shifts the employees are not supplied tea and snacks at the place where they work. It is suggested and in fact it is proved by the I Party that there are hardly half a dozen cups and saucers in this canteen and no eatables are supplied to the workers. This goes to show that the management has only made a pretext of maintaining a canteen which is no canteen at all. As regards the medical facilities also, the same condition is to be seen. There are 3 doctors in the dispensary paid by the Mills. There are three Male compounders. Out of the three doctors one is a lady doctor. In addition to the three doctors there are three

nurses. No special drugs are supplied. The employees of the Mills do not get Sick leave. There is no Surgeon in this hospital and the workers are not given any food whenever they are inpatients in the hospitals. About 6,000 cards are registered with the Mill doctors. The medical benefits are extended to the members of the family of the workers. The witness for the II Party admits that on an average about 18,000 individuals will be in charge of these three doctors. He is not in a position to tell if the Mills have purchased any special drugs. It is thus clear that even in regard to the medical facilities there is not much to be desired.

10. With regard to the Educational facilities the same is the position. There is no free education to the children of the employees of the Mills. There is only Primary Schools in the Mills Colony where there are more than 1,300 students. There are 27 teachers. In addition the Mill gets grant from the Government for running this school. The Education Board wanted to take over this school but the II Party has refused to hand over this school to the Board. Except for the Primary School education the Mills do not help the students for higher studies. No books are supplied to the students of the Primary School and there is no system of free feeding to the children in the afternoon. No stationery or uniforms are given to the School children. After the Primary education the children will have to go to the Middle and High School either to Gokak Town or to Maradimutt. No English School is run by the Mills. The Mills have theatres to exhibit films. There are no clubs for recreation of the workers. Only English and Hindi pictures are exhibited in the Open Air Theatre. From the evidence of the witness for the II Party it is clear that the employees of this Mill are not getting any substantial benefit on account of the various heads mentioned above so as to relieve them to some extent. Therefore that is another circumstance which necessitates a revision of the D.A.

11. Having established that there is a case for revision of D.A., one has to consider as to how far this revision can be given effect to and to what extent this benefit can be given to the workers and on what basis it should be given. While doing so it would be necessary to consider the financial capacity of the company to meet the additional burden that would be cast on account of revision of the D.A. There can be no doubt that

this Gokak Mills stands by itself and there cannot be any comparision with any neighbouring mill whatsoever both in the matter of spindlage and in the matter of the number of employees and in the matter of capital invested and the reserves built up and the profits earned and are being earned. It has a spindlage capacity as admitted by the witness for the management of 75,000 and is employing 6,000 people which perhaps no mill anywhere in the neighbourhood is having that capacity. The I Party has given in the claim statement para 4, the details of the capital invested, Reserves built up, profits earned, etc., of the II Party as well as the Mills at Madhavanagar and Sangli. These facts have not been denied in the counter statement. From the evidence of the witnesses for the II Party and from the various documents which I am going presenty to refer, it is undoubtedly clear that the II Party has the required financial capacity. The yarn which it prepares is sold like hot cakes both within and outside the country. The capital for the year 1960 was Rs. 48,80,000, Reserve Rs. 45,45,073, the profits for the year 1960 are Rs. 48,45,148. From 1960 onwards it has gone on steadily increasing. In 1964 the capital had grown up to Rs. 73,21,500 and the Reserve had been built up to Rs. 99,83,332 and the profit for 1964 was Rs. 59,40,119. These figures are culled out from the company's balance sheets which are marked as Exhibits M-18, M-19, M-14, M-15, M-16 and M-17. There is not a single year right from the start of the Mill in which the Mill has sustained a loss. Ex. M-7 is a document prepared by the II Party and produced to court. This will very clearly show the financial position of the working of the company right from 1954 to 1966. As per the entries in Ex. M-7 the total paid up capital for 1954 was Rs. 48,81,000 while the Reserve excluding Development Rebate was Rs. 33,91,000. The Gross Profit for 1954 is shown as Rs. 14,52,219. In 1965 which is the relevant year for the purpose of this case, the total paid-up capital was Rs. 73,21,500 while in 1966 it had amounted up to Rs. 87,85,800. the reserve for 1965 was Rs. 1,01,59,349. For 1966 the paid up capital was Rs. 87,85,800 and the Reserves for the same year is Rs . 1,47,54,870. The Gross Profits for 1965 is Rs. 31,36,165 while for 1966 the gross profit is Rs. 61,71,340. Right from 1954 to 1966, why as for that matter ever since the company started working, it has gone on making huge profits and for the purpose of this case it is the gross profits that will have to be taken into consideration while assessing the financial burden that may be imposed on the II Party. The Management has filed

certain exhibits to defeat the rights of the workmen for enhanced D.A. Those exhibits are Ex. M-2 series to show the relative position of the workers in other textile mills named in Ex. M-2. It is contended that none of the mills mentioned in Ex. M-2 are paying higher wage than the II Party. For Gokak Mills the minimum basic wage is Rs. 29.12, merged portion of D.A. is Rs. 31.61, D.A. is Rs. 56.94 and the total wage which the employee gets is Rs. 117.67. Sri Siddeshwara Textile Mill, Davangere, is shown to be paying Rs. 35.10 including the merged D.A. and Rs. 26. 10 D.A. *i.e.*. this Mill is paying only Rs. 61.20. Sri Shankara Textile Mill, Davangere, is shown to be paying Rs. 34.80 as basic wage and merged D.A. *plus.* Rs. 55.12 as D.A. and in all Rs. 89.96. The Davangere Municipality pays Rs. 97 out of which Rs. 50 is the basic wage and Rs. 47 is the D.A. Mysore Kirloskar is paying Rs. 26 basic wage and Rs. 60 D.A., in all Rs. 86. In Davangere Cotton Mills, the basic wages is Rs. 90.53 of which the D.A. is Rs. 54.47. So also Sri Ganesh Textile Mills, Davangere is shown to be paying only Rs. 63.87 of which Rs. 19.12 is the D.A. Chandriah Mills of Nandi, Nargund, are also cited as examples. It is contended on the basis of these statements that so many of these Mills are paying far less than what is being paid by the II Party Mills and therefore there is no reason for revising the D.A. to the employees of the II Party. The I Party has stated in the claim statement that the textile mills at Sangli, Madhavanagar, though with a much smaller capital and smaller equipment are paying much higher D.A. to its employees. In fact the evidence is that the employees at Sangli as being paid Rs. 145 per month, *i.e.*, Rs. 24 *plus* Rs. 8 *plus* Rs. 113 D.A. as wages. In Sholapur the employees are paid Rs. 26 as basic wage *plus* Rs. 8 *plus* Rs. 125 D.A., the total comes to Rs. 159 per month. The witness for the management admits that the distance between Gokak and Davangere is 339 Kms. His evidence is that the distance between Gokak and Sholapur is 547 Kms. by Rail. He does not know if the distance between the two by road is less than 250 miles. It was argued by Mr. Rele who appeared for the Management, that industry-*cum*-region should be the basis while fixing the rate of wages or D.A. and nothing should be done to fix a greater wage or higher scale of D.A. beyond the capacity of the Mills as this would lead to industrial unrest. The employees at places where they are paid less would naturally try to flow to places where higher wages and higher D.A. are paid. In regard to the statement Ex. M-2, the witness for the

management has given his evidence. His evidence is that he does not know when the three textile mills at Davangere which are shown in Ex. M-2 were started. He also does not know how much each of these three mills have invested as paid up capital. He cannot say how many workers have been employed by each one of these mills. He is not in a position to say how many shifts these mills are working. He did not make enquiries with those mills about the shift working, nor did he make any enquiry about the total capital invested by these mills and the total reserves built up and whether these mills are making any profits or loss he is not in a position to say. Similarly in Ex. M-3 he is not able to say as to when these mills were started and what capital they had invested and what is reserves built up and what is the total gross profits or net profits these companies are making. What is the percentage of dividends declared by any of these mills he is not in a position to give any details. He is not in a position to tell the tribunal if these companies are having any shift system. He is unable to say as to what profit each company shown in Exs. M-2 and M-3, is making or has made for the past 5 years. Admittedly Siddeswar Company at Hubli is not a textile mill, but it is manufacturing furniture. Similarly Sundatta Mill shown in Ex. M-3 is not manufacturing any cotton fabrics but it is manufacturing cotton seed oil and soaps. Hubli-Dharwar Corporation is not a manufacturing body, much less does it manufacture cloth Similarly the Kirloskar, Hubli, are not manufacturing any textile fabrics. He has also named certain companies in Ex. M-4. He has not enquired the capital structure of any of the industries mentioned in Ex. M-4. nor has he enquired about the prosperity or otherwise of any of these mills. He has not also enquired as to how many workers are working in these industries. Therefore it would be futile to compare the conditions prevailing in the companies mentioned in Exs. M-2. M-3 and M-4 with those that are prevailing in the II Party mills. The II Party also cannot be compared with the Mills at Sangli which are after all mercenture companies. The Supreme Court has laid down certain principles as to what industries are comparable concerns for such purposes. Their Lordships of the Supreme Court observe in 1962 (I) LLJ 287 in the case between the Remington Rand and its workmen

> "Regard must be had to the extent of business carried on by the said Company and the profits made by it and the nature of its business. It may also be necessary

to consider the standing of the company and the strength of its labour force as well as the wage structure prevailing in the company".

This Gokak Mill is perhaps the oldest one in the country and most prosperous one. As such other mills cannot be compared with it. The total spindlage of all the mill at Sangli will not come to 9,000 and the total capital invested by these company is hardly about 8 to 10 lakhs while the II Party's total capital is roughly about a crore of rupees with a reserve of Rs. 1,37,00,000, with a spindlage capacity of 75,000, employing as many as 6,000 people. Therefore one cannot very well say that from the point of view of region-*cum*-industry, Gokak Mills stands by itself. It was argued by Mr. Rele for the II Party that Sholapur is outside the Mysore State and politically therefore Gokak being within Mysore area, cannot be compared with Sholapur. This argument is open to two fallacies. One is, in these matters there cannot be any such political region and even if there should be one, the mills at Bangalore will have to be compared with the Gokak Mills, if political region is to be taken into consideration. From he beginning Gokak was in Bombay State up to 1956 and in fact the Gokak Mills was a member of the Bombay Mill Owners' Association and even now it is so. Moreover, the settlement that was arrived at in 1950 looked to the Sholapur cost of living index. Merely because Gokak has now come within the fold of Mysore State, it cannot be said that the Gokak Mill should not be compared with the textile mill at Sholapur. Formerly for the entire Southern Bombay, Sholapur was considered to be the region for these purposes. That way also this Gokak Mill comes nearer to Sholapur than to any other place nearby. I have also pointed out above that the mills shown in Exts. M-2 and M-3 cannot be compared with that of the II Party Mills for there is no reason as to when these mills were started, what is their working capital, what is their reserve, what is their spindlage capacity and how many employees they employ. The Gokak Mills may very well be compared with the Binny Mills at Bangalore which also employs 6,060 employees and pays 0.20 paise per point rise. It can also be compared to the K. R. Mills, Mysore which also pays 0.20 paise per point rise. It is therefore clear that the II Party Mills does possess the required capacity to pay the D.A. asked for by the employees.

12. The next point of importance is to consider as to what would be the financial burden if the demand of the workmen is

conceded or is granted. The Management has filed Exhibits M-5, M-6, M-7, M-8 and M-9 to show what would be the burden if the demand of the workers is granted. In this connection the company has also examined the Labour Officer whose evidence is not at all helpful to the company. His evidence is that the information contained in Ex. M-5 shows that the employees have worked for 240 days. He has prepared Ex. M-5 from the Muster Rolls. Similarly he has copied Ex. M-6 from the Muster Rolls. According to him both Exts. M-5 and M-6 show the actual number of days worked by the emplopees of the Mill in 1965 as well as in 1966. M-8 is also prepared by him. At the rate of Rs. 1.05 pies per point the total D.A. comes to Rs. 71.76 per month for 26 days. At the rate of Rs. 1.75 pies per day it comes to Rs. 100.50 per month of 26 working days. For the year 1965 the actual financial burden according to him would be Rs. 20,44,437 on the basis of the Sholapur D.A. The difference between the D.A. of Sholapur and that of the Gokak Mill is 0.50 pies per point per day. In 1965 he admits from Ex. M-5 that only 654 employees have worked for 240 days. According to his calculations the burden would be Rs. 1,62,748. He admits that the financial burden will have to be calculated for the year 1965 on taking into consideration the actual number of days the employees would have worked. He also admits that he has not done this. He has not done this in showing the financial burden for all the three years shown in Ex. M-8. All pay sheets in the Muster Rolls were available to him for all these three years, *viz.*, 1965, 1966 and 1967. In 1966 there was a lay off for 4 days but knowing this, he has taken 312 days as the working days. Even in 1967 there was a lay off for 4 days up to April and 2 days subsequently. Knowing this he has taken 312 days for 1967 as the number of working days. He finally admits that it is true that without ascertaining he actual number of days the worker has worked he has calculated for 1967 from January to June 1967 at Rs. 10,78,000. Finally the burden which he has described in Ex. M-8 according to him is only an ideal burden and not a factual burden. From this one admission it is sufficient that no weight can be given to the statement of additional burden, shown in Ex. M-8. What is to be shown is only the actual burden, *viz.*, the extent to which the company will feel out of pocket if the demand is conceded and this could be done only by taking into consideration the actual number of days on which the worker has worked. For the year 1967 the Labour Officer admits that 4,200 is the complement of permanent

workmen. There are no temporary workers but there will be 1,300 to 1,400 Badli workers and there are no casual workers. He has not found out the average number of days worked by the Badli workers for 1965-66 or 1967. According to him the average absenteeism in this mill is about 18 per cent to 19 per cent. Whenever the workers are on leave under the E.S.I. scheme, they are paid only half wages for 56 days and after that if they will absent themselves, they are not paid anything. The mill does not pay anything for the first two days of illness of the worker. According to him the average attendance per day of the inpatients among the employees may be about 300 or more per day. From these admissions it is clear that no value can be attached to the statement prepared by this witness in Ex. M-8. It does not show the actual burden which the company has to shoulder in case the demand is granted. I have calculated the burden and from this it is clear that the II Party witness has inflated the figure presuming that all the 6,000 workers work during the year 1965-66 and throughout the six months in 1967. In fact if the actual working of each worker in 1965-66 and 1967 is taken as per Exhibits M-5 and M-6, the total burden for the year 1965 will be about 7 lakhs as against 20 lakhs shown by the witness. This burden is negligible if one takes the profits made by the company for the year 1965 which is Rs. 31,36.155. It is only in 1965 that the profits of the Company have been decreased while in all the years prior to 1965 the average gross profits are roughly 60 lakhs each year and for 1966 it is Rs. 61,71,340. Taking also the sales into consideration in the year 1954, they amounted to Rs. 1,89,83,973 while in the year 1966 the total sales amounted to Rs. 5,80,44,314. The Company has been able to declare a dividend of 14 per cent. This is a very correct picture of the capacity of the II Party to meet the demands of the I Party workmen. There can be no two opinions that the burden on account of the additional D.A. to be paid will not be more than 7 to 8 lakhs of rupees per year on an average and this is nothing when compared to the profits made by the company each year. It is therefore clear that the I Party workmen are entitled to a revision of the D.A. which was fixed in 1950.

13. It was argued by Mr. Rele that the matter has been completed by the award in the year 1950 which is based on the settlement arrived at between the two parties. This amounts to *res judicata*. My answer to this is the observations of their

Lordships of the Supreme Court in 1962 (I) LLJ 287. The following are the observations :—

> "The decision of industrial disputes in a large number of matters may not easily admit application of all the technical implications of the doctrine of *Res judicata* Hence the demand made by the workmen in 1958 in the instant case for revision of rates of D.A. fixed under the terms of a settlement between the parties reached in the year 1953 and the subsequent reference of the said dispute for adjudication in 1959 could not be held barred by *Res judicata*. In the instant case. in view of the improvement in the financial position of the company subsequent to this settlement and the considerable increase in the cost of living subsequent to this settlement will also justify the dmands for revision of the rate of D.A. fixed under the settlement. From the mere fact that the settelment provided for a clause for increase in D.A. with the rise in the cost of living index, it cannot be contended that the scheme fixed under the settlement should be allowed to remain in force for all the time. It is quite conceivable that if the cost of living shows a tendency of rise very high, the workmen would be entitled to pray that there should be a change in the rate of D.A. basically fixed in order to allow them more neutralisation and such a demand cannot be rejected without examining its merits solely on the ground that because a provision is made for adjustment from time to time the scheme to remain in force for all the time and cannot be reopened or re-examined."

14. Once again it was argued by the II Party that the appointment of the Second Wage Board is a bar for the determination of the proper D.A. This point has already been dealt with by me while considering the legal issues and I once again say that there cannot be any such bar.

15. Only one point remains to be considered and that is the retrospective effect which is urged by the I Party workmen. In this connection Exhibits M-10 and M-11 are important. Ex. M-10 is a Notice issued by the President of the Girni Rashtriya Mazdoor Sangh, Gokak Falls, to the Mills Manager on 16th July

1964. By this Notice the President of the Sangh has informed the Mills General Manager that the agreement regarding the D.A. which was arrived at in 1950 was cancelled and it has been terminated because of the change of circumstances. By the same notice the Union has demanded payment of D.A. on the basis of the Sholapur cost of living index. For this no reply is given by the Mills. This fact is admitted by the witness for the Management. When the II Party did not reply to Ex. M-10 the I Party put forth the demands before the II Party by another notice of demand dated 22nd October 1964 as per Ex. M-11. Under Ex. M-11 the Union claimed D.A. to every employee to be raised and made equal to the D.A. given at Sholapur on the basis of the cost of living index and this demand was to be considered from 16th September 1964. Even to this no reply was given, by the Mills to the Union. Finally on 1st January 1965 again the Union raised the same demand for D.A. by means of Ex. M-12. Seeing that the II Party adopted a strict attitude, the conciliation also failed. Ex. M-13 is the Cociliation Report. Thereafter the Failure Report was submitted to the Government by the Asisstant Labour Commissioner and he Government have referred this matter for adjudication by their order dated 19th February 1966. The Union has demanded that the II Party has not done anything in the meanwhile and therefore the D.A. should be given on the Sholapur Model with retrospective effect. The counsel for the II Party has argued that the company was not bound to reply to the notice or answer the demand of the I Party and therefore no retrospective effect should be given. In a similar case their Lordships of the Supreme Court have observed in 1964 (I) LLJ Page 342 at 350 as follows :—

> "The next question is about the so called retrospective effect to the award. The first Reference was made to the tribunal on 8th April 1959 while the last was in December 1959. What the tribunal has done is to grant wage scales etc., from first of April 1959. This cannot, in our opinion be said to be retrospective because it is practically from the date of the first Reference "

From the principles laid down in this decision it is seen that the tribunal will be practically justified if the demands of the workmen are granted from the date of the demand. In the instant case the Union submitted the demand in the month of October 1964 and subsequently by Ex. M-12 it followed up the demand

on 1st January 1965. The attitude of the company was a total disregard for the demand of the Union. The company did not even have the courtesy to reply to the two notices, much less put forward alternative proposal. From the above circumstances I am therefore of the opinion that the I Party workmen have fully established their case for revision of D.A. on the model of the Sholapur cost of living index. They have also made out a case for retrospective effect being given to this demand.

16. In the result I pass an award holding that the employees of the Gokak Mills, Gokak Falls, are entitled to D.A. with effect from 1st January 1965 at the rate of D.A. that is paid to the Sholapur Mill employees as indicated above.

17. In the result I hold that the Gokak Girni Rashtriya Mazdoor Sangh, Gokak Falls, is justified in demanding D.A. to every employee of the Gokak Mills to be raised and made equal to the D.A. given in Sholapur on the basis of the cost of living index, and this will be with effect from 1st January 1965. I pass an award accordingly.

18. In the circumstances of the case, the II Party is directed to pay a sum or Rs. 500 (Rupees five hundred only) to the I Party Sangh towards costs.

A. PANCHAKSHARAIAH,
Presiding Officer,
Industrial Tribunal.
22—8—67.

ORDER

Bangalore, dated the 28th August 1967.

S.O. 1783. WHEREAS by State Government Order No. PLM 459 LLD 65, dated 19th February 1966, the Industrial Dispute between the workmen and the Management of Gokak Mill Ltd., Gokak Falls, Belgaum District, was referred to the Industrial Tribunal, Bangalore, for adjudication.

AND WHEREAS the Industrial Tribunal, Bangalore, has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act. 1947 (Central Act XIV of 1947), the Govermnent of Mysore are pleased to direct the publication of the said Award as above, in the *Mysore Gazette.*

[No. PLM 459 LLD 65.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT,
Under Secretary to Government,
Food, Civil Supplies and Labour
Department.